

**U.S. District Court
Eastern District of Missouri (St. Louis)
CRIMINAL DOCKET FOR CASE #: 4:19-mj-07415-SPM All Defendants**

Case title: USA v. Miller

Date Filed: 10/29/2019

Other court case number: 5:19-cr-331-4BO USDC Eastern

District of North Carolina, Western D

Assigned to: Magistrate Judge
Shirley Padmore Mensah

Defendant (1)

Jordan Dean Miller

represented by **Benjamin J. Gray**
BENJAMIN J. GRAY, LLC
P.O. Box 717
Kirksville, MO 63501
660-627-3840
Fax: 888-807-5645
Email: fedcourts@kirksvilleattorney.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained
Bar Status: Active

Pending Counts

None

Disposition

Highest Offense Level
(Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints

Rule 5c3 Complaint Out

Disposition

Plaintiff

USA

represented by **Stephen R. Casey**
OFFICE OF U.S. ATTORNEY
111 S. Tenth Street
20th Floor
St. Louis, MO 63102
314-539-6068
Fax: 314-539-2309
Email: stephen.casey3@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney
Bar Status: Gov

Email All Attorneys
(will not send to terminated parties)

Email All Attorneys and Additional Recipients
(will not send to terminated parties)

Date Filed	#	Page	Docket Text
10/29/2019			RULE 5 COMPLAINT – OUT signed by Judge Magistrate Judge Shirley Padmore Mensah ACCESS TO THE PDF DOCUMENT IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT. as to Jordan Dean Miller (1). (JWD) (Entered: 10/29/2019)
10/29/2019			Arrest of defendant Jordan Dean Miller date of arrest: 10/29/19 (ARL) (Entered: 10/29/2019)
10/29/2019	1		ELECTRONIC MINUTE ENTRY (no pdf attached) for proceedings held before Magistrate Judge Shirley Padmore Mensah: Initial Appearance re: Rule 5c3 – MJ arrest case only as to Jordan Dean Miller held on 10/29/2019. Jordan Dean Miller (1) O/R. Defendant advised of rights and indicated an understanding of those rights. Attorney Benjamin J. Gray for Jordan Dean Miller added. Defendant given copy of: Rule 5 paperwork. Defendant waived Identity hearing. Executed waiver form. Defendant released on bond. Defendant to call for arraignment date in District Court for North Carolina. (proceedings started: 2:54 p.m.) (proceedings ended: 3:09 p.m.)(FTR Gold Operator initials: ARL) (Defendant Location: Bond)(Attorney Appearance for USA: Stephen R. Casey.)(Attorney Appearance for Defense: Ben Gray.) (ARL) (Entered: 10/29/2019)
10/29/2019	2		WAIVER of Rule 5(c)(3) Hearings by Jordan Dean Miller (ARL) (Entered: 10/30/2019)
10/29/2019	3		Rule 5 papers prepared by the judge as to Jordan Dean Miller. (ARL) (Entered: 10/30/2019)
10/29/2019	4		Personal Recognizance Bond Entered as to defendant Jordan Dean Miller. Signed by Magistrate Judge Shirley Padmore Mensah on 10/29/19. (ARL) (Entered: 10/30/2019)
10/29/2019	5		ORDER Setting Conditions of Release by Defendant Jordan Dean Miller. as to Jordan Dean Miller (1) O/R. Signed by Magistrate Judge Shirley Padmore

		Mensah on 10/29/19. (ARL) (Entered: 10/30/2019)
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MIME-Version:1.0
From:Moed_AutoSend@moed.uscourts.gov
To:MOED_ECF_Notification@moed.uscourts.gov
Bcc:
--Case Participants: Stephen R. Casey (caseview.ecf@usdoj.gov, chris.jorcke@usdoj.gov, milton.mcdaniel@usdoj.gov, sarah.michels@usdoj.gov, stephanie.haar@usdoj.gov, stephen.casey3@usdoj.gov, usamoe.crimdock@usdoj.gov), Benjamin J. Gray (fedcourts@kirksvilleattorney.com), Magistrate Judge Shirley Padmore Mensah (genevieve_bales@moed.uscourts.gov, hedda_etherington-hall@moed.uscourts.gov, jessica_golby@moed.uscourts.gov, moed_spm_notifications@moed.uscourts.gov, shirley_mensah@moed.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:8464489@moed.uscourts.gov
Subject:Activity in Case 4:19-mj-07415-SPM USA v. Miller Initial Appearance - Rule 5
Content-Type: text/html

U.S. District Court

Eastern District of Missouri

Notice of Electronic Filing

The following transaction was entered on 10/29/2019 at 5:05 PM CDT and filed on 10/29/2019

Case Name: USA v. Miller
Case Number: 4:19-mj-07415-SPM
Filer:
Document Number: 1(No document attached)

Docket Text:

ELECTRONIC MINUTE ENTRY (no pdf attached) for proceedings held before Magistrate Judge Shirley Padmore Mensah: Initial Appearance re: Rule 5c3 – MJ arrest case only as to Jordan Dean Miller held on 10/29/2019. Jordan Dean Miller (1) O/R. Defendant advised of rights and indicated an understanding of those rights. Attorney Benjamin J. Gray for Jordan Dean Miller added. Defendant given copy of: Rule 5 paperwork. Defendant waived Identity hearing. Executed waiver form. Defendant released on bond. Defendant to call for arraignment date in District Court for North Carolina. (proceedings started: 2:54 p.m.) (proceedings ended: 3:09 p.m.)(FTR Gold Operator initials: ARL) (Defendant Location: Bond)(Attorney Appearance for USA: Stephen R. Casey.)(Attorney Appearance for Defense: Ben Gray.) (ARL)

4:19-mj-07415-SPM-1 Notice has been electronically mailed to:

Stephen R. Casey stephen.casey3@usdoj.gov, caseview.ecf@usdoj.gov, chris.jorcke@usdoj.gov, milton.mcdaniel@usdoj.gov, sarah.michels@usdoj.gov, stephanie.haar@usdoj.gov, usamoe.crimdock@usdoj.gov

Benjamin J. Gray fedcourts@kirksvilleattorney.com

4:19-mj-07415-SPM-1 Notice has been delivered by other means to:

MIME-Version:1.0
From:Moed_AutoSend@moed.uscourts.gov
To:MOED_ECF_Notification@moed.uscourts.gov
Bcc:
--Case Participants: Stephen R. Casey (caseview.ecf@usdoj.gov, chris.jorcke@usdoj.gov, milton.mcdaniel@usdoj.gov, sarah.michels@usdoj.gov, stephanie.haar@usdoj.gov, stephen.casey3@usdoj.gov, usamoe.crimdock@usdoj.gov), Magistrate Judge Shirley Padmore Mensah (genevieve_bales@moed.uscourts.gov, hedda_etherington-hall@moed.uscourts.gov, jessica_golby@moed.uscourts.gov, moed_spm_notifications@moed.uscourts.gov, shirley_mensah@moed.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:8464073@moed.uscourts.gov
Subject:Activity in Case 4:19-mj-07415-SPM USA v. Miller Rule 5 Complaint - Out
Content-Type: text/html

U.S. District Court

Eastern District of Missouri

Notice of Electronic Filing

The following transaction was entered on 10/29/2019 at 3:39 PM CDT and filed on 10/29/2019

Case Name: USA v. Miller
Case Number: 4:19-mj-07415-SPM
Filer:
Document Number: No document attached

Docket Text:

**RULE 5 COMPLAINT – OUT signed by Judge Magistrate Judge Shirley Padmore Mensah
ACCESS TO THE PDF DOCUMENT IS RESTRICTED PURSUANT TO THE E-GOVERNMENT
ACT. ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT. as to Jordan Dean
Miller (1). (JWD)**

4:19-mj-07415-SPM-1 Notice has been electronically mailed to:

Stephen R. Casey stephen.casey3@usdoj.gov, caseview.ecf@usdoj.gov, chris.jorcke@usdoj.gov,
milton.mcdaniel@usdoj.gov, sarah.michels@usdoj.gov, stephanie.haar@usdoj.gov,
usamoe.crimdock@usdoj.gov

4:19-mj-07415-SPM-1 Notice has been delivered by other means to:

MIME-Version:1.0
From:Moed_AutoSend@moed.uscourts.gov
To:MOED_ECF_Notification@moed.uscourts.gov
Bcc:
--Case Participants: Stephen R. Casey (caseview.ecf@usdoj.gov, chris.jorcke@usdoj.gov, milton.mcdaniel@usdoj.gov, sarah.michels@usdoj.gov, stephanie.haar@usdoj.gov, stephen.casey3@usdoj.gov, usamoe.crimdock@usdoj.gov), Magistrate Judge Shirley Padmore Mensah (genevieve.bales@moed.uscourts.gov, hedda.etherington-hall@moed.uscourts.gov, jessica.golby@moed.uscourts.gov, moed_spm_notifications@moed.uscourts.gov, shirley_mensah@moed.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:8464479@moed.uscourts.gov
Subject:Activity in Case 4:19-mj-07415-SPM USA v. Miller Arrest on Rule 5(c)(3)
Content-Type: text/html

U.S. District Court

Eastern District of Missouri

Notice of Electronic Filing

The following transaction was entered on 10/29/2019 at 5:01 PM CDT and filed on 10/29/2019

Case Name: USA v. Miller
Case Number: 4:19-mj-07415-SPM
Filer:
Document Number: No document attached

Docket Text:
Arrest of defendant Jordan Dean Miller date of arrest: 10/29/19 (ARL)

4:19-mj-07415-SPM-1 Notice has been electronically mailed to:

Stephen R. Casey stephen.casey3@usdoj.gov, caseview.ecf@usdoj.gov, chris.jorcke@usdoj.gov, milton.mcdaniel@usdoj.gov, sarah.michels@usdoj.gov, stephanie.haar@usdoj.gov, usamoe.crimdock@usdoj.gov

4:19-mj-07415-SPM-1 Notice has been delivered by other means to:

UNITED STATES DISTRICT COURT

for the

Eastern District of Missouri

United States of America

v.

Jordan Dean Miller (4)

Defendant

Case No. 4:19 MJ 7415 SPM

Charging District's Case No. 5:19 CR 331 BO

**WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)**I understand that I have been charged in another district, the *(name of other court)* Eastern District of North Carolina.

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing. *N/A*
- ☐ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 10/29/2019*Defendant's signature**Signature of defendant's attorney*Benjamin J. Gray*Printed name of defendant's attorney*

**RULE 5 INITIAL APPEARANCE RECORD BEFORE
MAGISTRATE JUDGE SHIRLEY PADMORE MENSAH**MJ #: 19-7415DC #: 5:19 CR 331 BO (EDNC)Defendant's Name: Jordan Dean Miller (#4) RULE 5 OUT☐ Right to remain silent; and that Defendant's statements can be used against him.Date of Initial Appearance: 10/29/2019

Proceedings Commenced: _____

Date Federal Custody Commenced: 10/29/2019U.S. Attorney: Steve Casey☒ Present ☐ Not PresentDefense Attorney: Benjamin Gray☒ Present ☐ Not Present

Defendant advised of the following:

☐ Nature of Offense ☐ Given copy of Complaint/Indictment/Information/Petition☐ Rule 5(c)(3) removal to: _____☐ Right to be represented by counsel and have counsel appointed, if indigent☐ Retained: Benjamin Gray☐ Appointed: _____☐ Right to preliminary examination under Rule 5.1 **OR** preliminary hearing under 32.1☐ within 14 days if detained; and within 21 days if released☐ Right to hearing under Rule 40 if charged in another district☐ Right to transfer here for guilty plea under Rule 20 if charged in another districtPretrial Services Officer: Anna

Probation Officer: _____

Bail set at: _____

☐ Sec.☒ O/R☐ Unsec.☐ Cash☐ Property☐ 10%☐ AB☐ AB

Only

Motion for Detention hearing made by: ☐ United States ☐ Magistrate Judge

Detention Hearing: _____

Date: 11/1/2019Time: 10:50 AMJudge: MensahPlaceholder if needed**AND/OR**

Next Appearance: _____

Date: _____

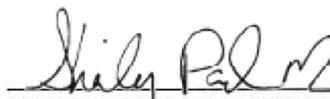
Time: _____

Judge: _____

For (proceeding): _____

Disposition at Initial Appearance: ☐ Committed to Custody ☒ Released on Bond

After processing by the USMS

SHIRLEY PADMORE MENSAH
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the

Eastern District of Missouri

United States of America)

v.)

JORDAN DEAN MILLER (4))

Defendant)

Case No. 4:19 MJ 7415 SPM

Charging Dist. 5:19 CR 331 BO

APPEARANCE BOND

Defendant's Agreement

I, Jordan Dean Miller (*defendant*), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- (☒) to appear for court proceedings;
 (☒) if convicted, to surrender to serve a sentence that the court may impose; or
 (☒) to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

- (☒) (1) This is a personal recognizance bond.
 (☐) (2) This is an unsecured bond of \$ _____ .
 (☐) (3) This is a secured bond of \$ _____ , secured by:

(☐) (a) \$ _____ , in cash deposited with the court.

(☐) (b) the agreement of the defendant and each surety to forfeit the following cash or other property
(describe the cash or other property, including claims on it — such as a lien, mortgage, or loan — and attach proof of ownership and value):

 If this bond is secured by real property, documents to protect the secured interest may be filed of record.

(☐) (c) a bail bond with a solvent surety *(attach a copy of the bail bond, or describe it and identify the surety):*

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

AO 98 (Rev. 12/11) Appearance Bond

Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Declarations

Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

Acceptance. I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: 10/29/2019

Defendant's signature

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

Date: 10/29/2019

Judge's signature

UNITED STATES DISTRICT COURT

for the

Eastern District of Missouri

United States of America)

v.)

JORDAN DEAN MILLER)*Defendant*)Case No. 4:19 MJ 7415 SPM
Charging Dist. 5:19 CR 331 BO**ORDER SETTING CONDITIONS OF RELEASE**

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: _____

Place

on _____

Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- ☐
- (6) The defendant is placed in the custody of:

Person or organization _____

Address (only if above is an organization) _____

City and state _____

Tel. No. _____

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____

Custodian

Date

- ☒
- (7) The defendant must:

- ☒
- (a) submit to supervision by and report for supervision to the U.S. Pretrial Services Agency, Thomas F. Eagleton Courthouse, 111 S. 10th Street, Room 6.345, St. Louis, Missouri 63102

U.S. Probation Office, Eastern District of North Carolina, 310 New Bern Ave., Room 610, Raleigh, NC 27601-1441

telephone number 314-244-7000 (EDMO) / 919-861-8660 (EDNC)

- ☐
- (b) continue or actively seek employment.

- ☐
- (c) continue or start an education program.

- ☐
- (d) surrender any passport to: _____

- ☒
- (e) not obtain a passport or other international travel document.

- ☒
- (f) abide by the following restrictions on personal association, residence, or travel: Remain within the Eastern District of Missouri unless written permission for travel outside the district is given by the U.S. Pretrial Services Agency after consultation with the federal prosecutor or the Court. Defendant may travel to the Eastern District of North Carolina for court-related matters only.

- ☒
- (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: co-defendants.

- ☐
- (h) get medical or psychiatric treatment: As directed by Pretrial Services.

- ☐
- (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____

- ☐
- (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

- ☒
- (k) not possess a firearm, destructive device, or other weapon.
- Defendant must remove all firearms, destructive devices, or other weapons from the residence within forty-eight hours of release.**

- ☐
- (l) not use alcohol (
- ☐
-) at all (
- ☐
-) excessively.

- ☐
- (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

- ☐
- (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

- ☐
- (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

- ☐
- (p) participate in one of the following location restriction programs and comply with its requirements as directed.

☐ (i) **Curfew.** You are restricted to your residence every day (☐) from _____ to _____, or (☐) as directed by the pretrial services office or supervising officer; or☐ (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or☐ (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

- ☐
- (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.

☐ You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.

- ☐
- (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

- ☒
- (s) Defendant shall call the Eastern District of North Carolina at 919-645-1700 within twenty-four hours of release for reporting instructions in the charging district.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

Defendant's Signature

1410 Bishop Dr.
Kirkville, MO 63501
660-342-4493

City and State

Directions to the United States Marshal

- (☒) The defendant is ORDERED released after processing.
(☐) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 10/29/2019

Judicial Officer's Signature

Shirley Padmore Mensah, United States Magistrate Judge

Printed name and title